

Notice of Allowability

Application No.

10/538,559

Examiner

Warren K. Fenwick

Applicant(s)

NISHIZAWA, HIROSHI

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 09/10/2007.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Detailed Action

Response to Amendment

1. Examiner has acknowledged and reviewed applicant's submission (filed on 09/10/2007) of the revisions to the specification. Examiner has thereby withdrawn the objections to applicant's specification, as cited in the first non-final office action.

Reasons for Allowance

2. Examiner has acknowledged and reviewed applicant's remarks on the first non-final office action. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1-14 is the claim language found in claims 1 and 3, for an imaging apparatus comprising: a semiconductor imaging device which converts incident light to an electrical signal; an optical filter which is opposed to an incident surface of a semiconductor imaging device and transmits light of a certain wavelength; and a fixing member fixing an optical filter by means of adhesion using a filler-containing adhesive. Most notably, an adhesive filler particle diameter is smaller than or equal to a pixel size of said semiconductor imaging device.

Also, the primary reason for allowance of claims 1-14 is the claim language found in claims 7 and 11 for a method of manufacturing an imaging apparatus comprising the steps of: providing a substrate; providing a semiconductor imaging device; mounting a semiconductor imaging device to the substrate; providing an optical filter; selecting a filler-containing adhesive based on a diameter of the filler being smaller than or equal to the pixel size; mounting the optical filter to a substrate by means of adhesion using the filler-containing adhesive.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The application is in condition for allowance except for the following formal matters presented in the next two paragraphs.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

6. Authorization for this examiner's amendment was given to edit typographic errors presented in claims 8-10 and 12, in a telephone interview with Mr. Aaron Fishman on 11/27/2007. Subsequent to the telephone call, claims 8-10 and 12 were amended, accordingly, and are presented below.

Examiner's Amendments to the Claims:

Claim 8 (Currently Amended): The method of claim 87, wherein the diameter of the filler is larger than or equal to 1/2 of the pixel size.

Claim 9 (Currently Amended): The method of claim 87, wherein the filler is spherical in shape.

Claim 10 (Currently Amended): The method of claim 87, wherein the diameter of the filler is smaller than or equal to 3.8 μm .

Claim 12 (Currently Amended): The method of claim 121, wherein the diameter of the filler is larger than or equal to 1/2 of the pixel size.

Telephone Numbers

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Warren K. Fenwick whose telephone number is 571-270-3040. The examiner can normally be reached on Mon- Fri 8:30A to 6:00P, Eastern Time (GMT-5).
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WKF



**William Perkey
Primary Examiner**